

BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, TN 37201-3300

guy.hicks@bellsouth.com

REC'D TN
REGULATORY AUTH.

Guy M. Hicks
General Counsel

February 5, 2001
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615 214 6301
Fax 615 214 7406
EXECUTIVE SECRETARY

VIA HAND DELIVERY

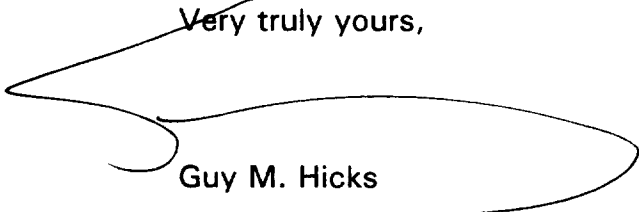
David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Generic Docket to Establish UNE Prices for Line Sharing per FCC 99-355 and Riser Cable and Terminating Wire as Ordered in TRA Docket No. 98-00123*
Docket No. 00-00544

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Supplemental Brief to Address Recent FCC Orders. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,


Guy M. Hicks

GMH:ch
Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Generic Docket to Establish UNE Prices for Line Sharing per FCC 99-355 and Riser Cable and Terminating Wire as Ordered in TRA Docket No. 98-00123*

Docket No. 00-00544

BELLSOUTH'S SUPPLEMENTAL BRIEF
TO ADDRESS RECENT FCC ORDERS

In response to the Authority's Notice of Filing Comments dated January 29, 2001, BellSouth Telecommunications, Inc. ("BellSouth") hereby respectfully submits this supplemental brief to address the impact on this proceeding of the Federal Communications Commission's Third Report and Order on Reconsideration in CC Docket No. 98-147, *In the Matter of Deployment of Wireline Services Offering Advanced Telecommunications Capability ("Line Splitting Order")* and the FCC's Memorandum Opinion and Order in CC Docket No. 00-217, *In the Matter of Application By SBC Communications, Inc. for Authorization Under Section 271 of the Communications Act to Provide In-Region InterLATA Service in the States of Kansas and Oklahoma ("SBC Kansas-Oklahoma Order")*.

DISCUSSION

Based on the issues that have been raised, BellSouth believes that the FCC's *Line Splitting Order* has a limited impact on this proceeding. Specifically, that order directly addresses only a subset of the issues which CLECs have raised. In the *Line Splitting Order*, the FCC addressed a variety of issues. However, the FCC only

addressed the following issues that have been raised by the CLECs in this proceeding:

1. The FCC denied AT&T's request that ILECs must continue to provide xDSL services in the event customers choose to obtain voice service from a competing carrier on the same line (§16).
2. The FCC stated that ILECs have an obligation to permit competing carriers to engage in line splitting using the UNE-P where the competing carrier purchases the entire loop and provides its own splitter (§19).
3. The FCC stated that, if a competing carrier is providing voice service using UNE-P, it can order an unbundled xDSL-capable loop terminated to a collocated splitter and DSLAM equipment and unbundled switching combined with shared transport, to replace its existing UNE-P arrangement with a configuration that allows provisioning of both data and voice services (§19).
4. In the event a customer terminates ILEC provided voice service on a line-shared line, the competitive data carrier is required to purchase the full stand-alone loop if it wishes to continue providing xDSL service (§22).

The FCC's conclusion that an ILEC need not offer line sharing when it is no longer the voice provider is consistent with BellSouth's position. Put simply, an

ILEC cannot be considered to be "sharing" a loop if it provides neither the voice nor the data service over that loop.

The FCC did not set rates for any unbundled network elements in the *Line Splitting Order*. Therefore, the FCC's decisions affect the issues in this docket only to the extent that BellSouth's assumptions in its cost study are inconsistent with the FCC's determinations. At this time, BellSouth reserves its right to submit Reply Comments on February 12, 2001 to address any party's comments on that point.

BellSouth does not believe that the FCC's decision in the *SBC Kansas-Oklahoma Order* have any direct impact on the issues in this proceeding. BellSouth reserves the right to submit Reply Comments on February 12, 2001 to address any party's comments on the impact of that order on this proceeding.

Respectfully submitted this the 5th day of February, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.



Guy M. Hicks
333 Commerce Street, Suite 2101
Nashville, Tennessee 37201-3300
(615) 214-6301

R. Douglas Lackey
T. Michael Twomey
675 W. Peachtree Street NE, Suite 4300
Atlanta, Georgia 30375

CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2001, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight
- ☐ Electronic

Jon E. Hastings, Esquire
Boult, Cummings, et al.
P. O. Box 198062
Nashville, TN 37219-8062

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight
- ☐ Electronic

James Wright, Esq.
United Telephone - Southeast
14111 Capitol Blvd.
Wake Forest, NC 27587

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight
- ☐ Electronic

Charles B. Welch, Esquire
Farris, Mathews, et al.
205 Capitol Blvd, #303
Nashville, TN 37219

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight
- ☐ Electronic

James Lamoureux, Esquire
AT&T
1200 Peachtree St., NE
Atlanta, GA 30309

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight
- ☐ Electronic

R. Dale Grimes, Esquire
Bass, Berry & Sims
315 Deaderick Street
Nashville, TN 37238

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight
- ☐ Electronic

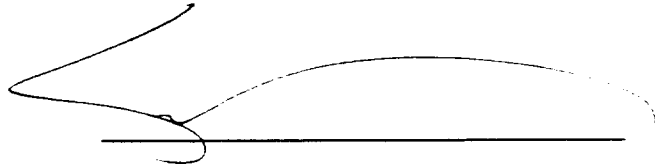
Henry Walker, Esquire
Boult, Cummings, et al.
414 Union Ave., #1600
P. O. Box 198062
Nashville, TN 37219-8062

☐ Hand
☒ Mail
☐ Facsimile
☐ Overnight
☐ Electronic

Joshua M. Bobeck, Esquire
Swidler Berlin, et al.
3000 K St., NW, #300
Washington, DC 20007-5116

☐ Hand
☒ Mail
☐ Facsimile
☐ Overnight
☐ Electronic

Catherine F. Boone, Esq.
Covad Communications Company
10 Glenlake Parkway, Suite 650
Atlanta, GA 30328

A handwritten signature in black ink, appearing to read "Catherine F. Boone", is written over a horizontal line. The signature is fluid and cursive, with a long, sweeping underline that extends to the right.